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SIPDIS

STATE FOR NEA/MAG, DRL FOR NEA/SA

E.O. 12958: DECL: 07/14/2018

TAGS: PHUM PREL PBTS WI MO

SUBJECT: MOROCCO: STRENGTHENED RIGHTS DIALOGUE AND A TOUCH OF PIQUE ON SAHARA

REF: A. RABAT 0570  
1B. RABAT 579  
1C. RABAT 623  
1D. RABAT 0645  
1E. STATE 75910  
1F. JULY 10 DESK/EMBASSY EMAIL EXCHANGE

Classified By: PolCouns Craig Karp for reasons 1.4 (b) and (d)

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Summary  
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11. (C) Senior Moroccan Interior and Foreign Affairs officials praised, with some reservations, the Department's 2007 Human Rights Report and the Government of Morocco (GOM)/Embassy dialogue that informs it. They agreed to a schedule and framework to govern the next cycle of discussion and asked to expand the process to include other congressionally-mandated rights reports. While acknowledging that reform is not a straight-line process, they cautioned us against characterizing 2008 as a year of regression for Morocco, insisting that the Kingdom's decision to choose the path of progress is "irreversible."

12. (C) Ministry of Foreign Affairs (MFA) Chief of Staff complained that the separate Morocco and Western Sahara human rights reports were inconsistent with other Department documents which combine the two geographic regions under one heading. He also asked the USG to implement assistance projects in the disputed territory. We reminded him that although the USG supports Morocco's autonomy initiative, only a negotiated agreement would lead to international recognition of Moroccan sovereignty. End Summary.

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Institutionalizing the Human Rights Dialogue  
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13. (C) During a July 15 planning meeting to discuss the 2008 cycle of the joint Morocco/Mission human rights dialogue, GOM representatives included Ministry of Interior (MOI) Director General Mohiddine Amzazi (Undersecretary equivalent), Ministry of Foreign Affairs Chief of Staff Nasser Bourita, and the MOI's and MFA's DRL Office Director equivalents. PolCouns, Human Rights PolOff and Casablanca-resident LabOff/PolOff attended for the Embassy. Amzazi and Bourita both noted that the 2007 Human Rights Report was balanced and

"good" because the dialogue allowed the Government of Morocco (GOM) to make its case. The process was important to help both sides "find the truth."

¶4. (C) Amzazi added that the GOM had decided to establish a standing working group of personnel from the MFA, MOI and Ministry of Justice (MOJ) to focus on human rights questions.

Amzazi expressed hope for the creation of a permanent channel and structure for the dialogue. He proposed broadening it to include all congressionally-mandated rights reports and requested a master schedule to govern the new and wider process. The GOM officials accepted the following Embassy proposed timeline for the 2008 human rights dialogue (Ref B):

-August 15: Begin working level consultations at relevant Ministries and submit list of questions.

-October 15: Embassy receives the GOM's response to questions and incorporates into Human Rights Report Draft.

-Mid November: Full meeting of the Human Rights Dialogue prior to the Human Rights Report's submission to Washington, followed by working level follow-up as needed.

-December 2: Embassy receives final and answers to all questions and issues related to the Human Rights Report.

-Mid January: Begin separate and similar process for Trafficking in Persons Report

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TIP Plan of Action Highlighted  
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¶5. (C) LabOff stressed the need for Morocco to draft anti-TIP specific legislation, prosecute and report on the sentencing of traffickers of forced child labor, and to create a formal legal procedure to identify and protect victims of trafficking in order for Morocco to be returned to Tier 1 status (Ref E). PolCouns outlined a USG offer of assistance to build the GOM's judicial statistical reporting capacity which has already been presented to the MOJ. Finally, copies of the TIP Plan of Action were passed to the Moroccan officials.

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Two Steps Forward, One Step Back  
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¶6. (C) PolCouns concurred that the dialogue not only helped to inform the Human Rights Reports but also appeared to have had some positive effects on the human rights situation in general, particularly in the Western Sahara. He encouraged the GOM to continue making improvements. Although he understood that reform involved both forward and backward movement, he expressed concern over some reverses in the early part of 2008, especially in the areas of freedom of expression and press, the subtle tightening of political space around the (Islamist) opposition Party of Justice and Development (PJD), as well as strong security reaction to protests over joblessness and price increases. He noted that the GOM itself admitted that abuses had occurred during the legitimate dispersal of a protest blockading the port town of Sidi Ifni (Ref A).

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There is Freedom Within, There is Freedom Without  
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¶7. (C) Amzazi disagreed with the contention that 2008 marked a year of regression for Morocco in the area of human rights (Refs A and C). He admitted that there were some missteps early in the year but said that every instance of "tension" should not be construed as wholesale backsliding. Amzazi added that Morocco's decision to move forward on the path of progress was "irreversible." He pointed to the recent

appointment of a Parliamentary Commission of Inquiry to investigate police behavior during recent riots in Sidi Ifni (Ref A) as an example of Parliament flexing its constitutional muscle and the willingness of sovereign ministries (i.e. those under direct royal control) to submit themselves to scrutiny for the first time in recent history.

¶18. (C) Amzazi said the MOI would accept and abide by the Commission's findings and recommendations. He also insisted that political freedoms in Morocco were not tightening, despite recent incidents in which the PJD was denied permission to hold events. He noted that the PJD participated on an equal footing with all other parties in the 2007 parliamentary elections cycle, and some of its members currently serve on the Sidi Ifni Commission of Inquiry.

¶19. (C) Amzazi strongly rejected any suggestion that the recent imposition on Al Jazeera's Rabat Bureau Chief of a USD 7,000 fine and the sentencing of a human rights activist to six months in prison for spreading false information about deaths in Sidi Ifni represented an attack on press freedom and freedom of expression (Ref C). He characterized their crime as incitement (Note: Although both men subsequently apologized for disseminating mistaken information received as events were unfolding, it would be difficult to dispute Amzazi's contention that rumors of rapes and deaths could have sparked broader violent demonstrations and actual deaths. End note) and said that he personally had hoped for a stronger sentence for both.

¶10. (C) Amzazi complained that Al Jazeera showed little gratitude to Morocco, one of the only Arab countries to allow it to open a bureau, and the channel consistently and unfairly criticized the Government. He encouraged us to "go walk the ground" in Sidi Ifni and "see a different reality" than has been reported.

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Western Sahara: Don't Bust My Chops  
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¶11. (C) Both Amzazi and the MFA's Bourita dug in their heels on the issue of the Western Sahara. In response to an inquiry about measures taken against officers frequently cited for abusive or improper behavior in Western Sahara, Amzazi insisted that there was no difference between the situation in "southern Morocco" and the rest of the country saying, "We are not out of control." He added that internal investigative mechanisms were robust, effective, and were used to uphold standards of behavior (Comment: This does not square with the evidence on the lack of real judicial investigation of abuses committed by officers. End Comment). Somewhat testily, Amzazi denied any linkage between the recent transfers of two officers out of the territory and their being named in the last session of the dialogue, insisting that the move was part of the standard police five-year rotation cycle (Note: Even though the officers had been there longer than five years. End Note.)

¶12. (C) Bourita disagreed that allowing more space for civil society in the territory would either help build trust in the Manhasset process or promote reconciliation. In contrast to assertions by the Moroccan Embassy in Washington (Ref F), both Bourita and Amzazi categorically denied any intention or possibility of allowing independent human rights NGOs in the territory to legally register saying, "We will not allow organizations run by separatists to operate legally, it's against the law and the Constitution, although they are allowed to function." In the case of the Sahrawi Association of Human Rights Violations Victims (ASVDH), this is in spite of a court decision ordering the Government to approve its registration application.

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MFA: We Need Another Hug  
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¶13. (C) Bourita argued that Morocco had extended its hand to Algeria and the Polisario on several levels and in different ways, only to pull it back empty. He griped that Algeria and the Polisario prefer the status quo to progress and that they were using UN mechanisms such as Manhasset and the Security Council to prevent breakthroughs. Bourita wondered why UN Secretary General Ban Ki-Moon and the USG did not take concrete steps to signal displeasure with the "other side's" delaying tactics. He suggested that the Secretary General ask the Security Council to issue a clear resolution in favor of the Moroccan proposal, and lay out what it believes should be the next steps in moving towards a solution.

¶14. (C) Continuing, Bourita complained that the separate Morocco and Western Sahara Human Rights Reports were inconsistent with other State Department documents such as the International Religious Freedom and Trafficking in Persons reports, which combine the two geographic areas under one heading. He was particularly miffed that, this year, the two Human Rights Reports were initially posted on the Department's website as one document and then split into two after three days and reposted.

¶15. (C) Bourita requested a concrete symbol of the USG's commitment to the Moroccan autonomy proposal such as the construction of a school or hospital in the disputed territory using USG funds. He complained that the USG spends large amounts of money on humanitarian assistance in Tindouf and asked "Don't Moroccan school children deserve new books as well?"

¶16. (C) In response, we observed that minor details such as report structures were technical and should not be construed as signaling change in long-standing US policy one way or another. The USG's very real and strong support for the Moroccan autonomy proposal does not alter the fact that, until an agreement is reached, the international community

will not recognize Moroccan sovereignty over the territory. This should encourage the GOM to make conditions on the ground as favorable as possible to win an accord.

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Comment  
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¶17. (C) Amzazi's support for the dialogue and the three ministries' willingness to institutionalize the human rights dialogue process is a sign of the GOM's commitment at the highest levels to discussing and operationalizing human rights concepts. This would seem to validate our strategy of conducting strong and frank behind-the-scenes advocacy coupled with encouragement, and balancing accurate and sometimes critical reporting with expressions of support for progress. This has produced concrete improvements (Ref A). We will continue to engage privately with the GOM and to reach out to human rights activists in Western Sahara and Morocco proper. As previously noted, brick and mortar projects in the territory would not be productive (Ref D).  
End Comment.

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Visit Embassy Rabat's Classified Website;  
<http://www.state.sgov.gov/p/nea/rabat>  
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